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IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

2007 SEP 25 A 9:42  
DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

NATHANIEL SHAW

PLAINTIFF,

V.

D.T. MARSHALL et al.,

DEFENDANTS.

CIVIL ACTION NO. 2:07-CV-606-ID

MOTION REQUESTING LEAVE TO FILE

MOTION FOR CONTEMPT FOR PERJURY

COMES NOW PLAINTIFF NATHANIEL SHAW, "PRO SE" AND MOVE THIS HONORABLE COURT PURSUANT TO CODE OF ALABAMA 1975 SECTION 13A-10-101, 13A-10-102 AND FEDERAL CRIMINAL STATUTE UNDER 18 USC 241 AND 242. THE DEFENDANTS ARE ACTING UNDER THE COLOR OF STATE LAW. THE AFFIDAVITS SUBMITTED BY DOCTOR JOHNNY E. BATES, AND DIRECTOR GINA SAVAGE, IS MATERIAL EVIDENCE FOR AN OFFICIAL PROCEEDING IN FEDERAL COURT. THE SWORN AFFIDAVITS ARE INTENTIONALLY FALSE, AND DONE SO KNOWINGLY TO INFLUENCE THE JUDGE OF THIS COURT.

THE PLAINTIFF STATES THE FOLLOWING FACTS IN SUPPORT OF THE PERJURED AFFIDAVITS BOTH,

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SUBMITTED BY DOCTOR JOHNNY E. BATES AND DIRECTOR GINA SAVAGE ARE AS FOLLOWED:

I. DOCTOR JOHNNY E. BATES, AFFIDAVIT FILED IN THIS HONORABLE COURT ON 2007 AUG -7 A 9:55 STATES ON PAGE 3 OF 5 THE INMATE WAS NOT REFERRED OUT THE FACILITY FOR THE FOLLOWING REASON:

1. THE INJURY, ACCORDING TO THE INMATE, OCCURRED PRIOR TO THE DATE OF HIS BOOKING, WHICH WAS MAY 9, 2007. AT THE TIME OF HIS BOOKING THERE WAS NO COMPLAINT OF VISUAL PROBLEMS AND NO EVIDENCE OF TRAUMA. DOCUMENT 13-2 FILED 08-07-2007 PAGE 6 OF 13 ADMISSION QUESTIONS-MEDICAL OFFICER/INMATE QUESTIONNAIRE CHECKED IS EYE PROBLEM YES THEREFORE, THIS DOCUMENT REFUTE REASON ONE MAKING DOCTOR BATES TO HAVE LIED AND COMMITTED PERJURY ONCE IN A SWORN AFFIDAVIT.

DOCUMENT 13 FILED 08-07-2007 PAGE 2 OF 5 STATES: A NURSING PHYSICAL ASSESSMENT AND EVALUATION WAS PERFORMED ON MAY 12, 2007 BY JANE LAWRENCE R.N. AND SUBSEQUENTLY REVIEWED BY ME. THE INMATE DENIED ANY PROBLEM AT THAT TIME. DOCUMENT 13-2 FILED 08-07-2007 PAGE 4 OF 13 HISTORY SUBJECT 11 CHECKED IN THE POSITIVE IS EYE DISEASE THUS THIS REFUTE

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ANOTHER UNTRUTHFUL STATEMENT IN DOCTOR JOHNNY E. BATES, STATEMENTS ON A FEDERAL SWORN AFFIDAVITS THAT CAN BE PROVEN BEYOND A DOUBT TO BE PERJURY AND SHOWS NO REGARD FOR TRUTH AND JUSTICE, TWO OF THE PILLARS OF THIS HONORABLE COURTS FOUNDATION WAS BUILT UPON.

II DIRECTOR GINA SAVAGE DOCUMENT 22 FILED 08-28-2007  
PAGE 2 OF 15 OF SPECIAL REPORT

### FACTS

- (I) PLAINTIFF IS A PRE-SENTENCED INMATE WHO WAS INCARCERATED AT THE MONTGOMERY COUNTY DETENTION FACILITY ("MCDF") ON MAY 8, 2007 CHARGED WITH THREE COUNTS OF POSSESSION OF FORGE INSTRUMENT, THEFT OF PROPERTY 1ST, TRAFFICKING STOLEN IDENTITIES AND POSSESSION OF CONTROLLED SUBSTANCE. (AFFIDAVIT OF GINA SAVAGE, 11 3). THE PLAINTIFF REFUTE THIS STATEMENT BY USE OF DOCUMENT 13-2 FILED 08-07-2007 PAGE 6 OF 13 OFFICER/ INMATE INTAKE QUESTIONNAIRE INTAKE DATE 5-9-2007 THEREFORE, DIRECTOR GINA SAVAGE HAS LIED CONCERNING THE INTAKE DATE. THE FIRST LIE OF PERJURY.
- (II) THE MCDF ALSO EMPLOYS A RECREATION TECHNICIAN WHO GIVE INMATES AN OPPORTUNITY TO PARTICIPATE IN RECREATION. (AFFIDAVIT OF GINA SAVAGE 11 6)

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RECREATION WAS AVAILABLE TO PLAINTIFF ON MAY 3, 2007, HOWEVER, PLAINTIFF DID NOT PARTICIPATE. THE PLAINTIFF ATTEST THAT HE WASN'T INCARCERATED ON MAY 3, 2007 THEREFORE RECREATION COULDN'T HAVE BEEN OFFER TO PLAINTIFF AS STATED BY DIRECTOR GINA SAVAGE ON MAY 3, 2007 PERJURY HAS BEEN COMMITTED BY THESE TWO DEFENDANTS THAT CAN BE PROVEN BEYOND A DOUBT HOWEVER, THERE ARE OTHER LIBELOUS STATEMENTS THAT THE REQUEST OF DOCUMENTS SHALL PROVIDE.

ACCORDING RULE "3" OF THE FEDERAL CRIMINAL CODE AND RULES - THE JUDGE MUST ISSUE AN ARREST WARRANT TO AN OFFICER AUTHORIZED TO EXECUTE IT AT THE REQUEST OF AN ATTORNEY FOR THE GOVERNMENT.

### RELIEF REQUESTED

- (1) THE COURT TO ISSUE A ORDER TO THE DEFENDANTS IN QUESTION TO SHOW CAUSE WHY SANCTIONS AND OR CHARGES SHOULD NOT BE FILED AGAINST THESE DEFENDANTS.
- (2) THE COURT TO TAKE FULL SUBJECT MATTER JURISDICTION AND GRANT ALL RELIEF TO WHICH PLAINTIFF IS ENTITLED

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(4) THE COURT TO SET THIS MATTER FOR  
A FULL CONFERENCE HEARING.

RESPECTFULLY  
Nathaniel Shaw

IT IS SO PRAYED

UNDER THE PENALTY OF PERJURY THAT  
THE INFORMATION IS ALL TRUE AND CORRECT  
TO THE BEST OF MY KNOWLEDGE.

DONE THIS 23<sup>RD</sup> DAY OF SEPTEMBER  
2007 BY MY SIGNATURE BELOW

s/ Nathaniel Shaw

NATHANIEL SHAW

# 89354 M.C.D.F

P.O. BOX 4599

MONTGOMERY, AL.

36103

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CERTIFICATE OF SERVICE

CIVIL ACTION NO. 2:07-CV-606-ID

I, NATHANIEL SHAW, DO HEREBY CERTIFY  
THAT A TRUE AND CORRECT COPY OF THE  
FOREGOING HAS BEEN FURNISHED BY VIA U.S.  
MAIL ON THIS 23<sup>RD</sup> DAY OF SEPTEMBER 2007 TO;

(1) CLERK OF UNITED STATES DISTRICT COURT  
P.O. BOX 711 MONTGOMERY, ALABAMA  
36101-0711

(2) WAYNE P. TURNER, P.O. BOX 152  
MONTGOMERY, ALABAMA 36101-0152  
COUNSEL FOR DR. JOHNNY E. BATES

(3) CONSTANCE C. WALKER, P.O. BOX 4660  
MONTGOMERY, ALABAMA 36103-4660  
COUNSEL FOR D.T. MARSHALL; GINA SAVAGE;  
C. SMITH; SONORA WRIGHT

s Nathaniel Shaw  
NATHANIEL SHAW  
#89354 M.C.D.F.  
P.O. BOX 4599  
MONTGOMERY, AL  
36103